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with ourselves; but it is difficult at the primitive stage to separate it from custom; for of education in the narrower sense, viz. that of formal training, there is practically none except for the rather scanty instructions given at the *otohu* ceremony. A native's education consists in the gradual and effortless assimilation of the customs and manners of his people; and there is no school save that of daily contact with his elders, whose example is merely the reproduction of a previous example set to them.

Absence of Central Authority

Our interest centres rather upon the indirect means of ensuring morality, i.e. upon the means of preventing shortcomings or offences; and here our subject becomes more than ever mixed up with that of primitive law. We shall do well to bear in mind the distinction between criminal and civil offences, though no attempt will be made to deal with them separately in respect of their sanctions. In an Orokaiva group the former, viz. those of an individual against the group as a whole, seem to be relatively uncommon, and this because the individual's interests are so bound up with those of his group that he does not very often find himself at variance with his fellows. As examples, however, one may quote the breach of a coco-nut tabu, the defilement of a water-supply, the betrayal of a raiding party, and malicious weather-magic, all of which are cases that have come to my notice. Civil offences, on the other hand, are common, though, as I have implied before, it is a question whether theft, adultery, assault, &c., are more prevalent in Orokaiva society than in our own.

But how are these offences prevented, or how punished? It will be understood that there is no such thing as a central authority to enforce the law. Orokaiva chieftainship (to risk the use of the word) is of the most elementary kind (p. 104), and certainly involves no power of inflicting punishment, nor even any means of maintaining order except by the exercise of purely personal influence. I have heard of a man of importance—and the Orokaiva 'chief' is really no more than that—who interfered to prevent his son from beating

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692 his (the son's) wife. The chief's daughter (who related the incident), now intervened between father and son, and said that she got a thrashing for her pains. But this is the only concrete instance which I can quote, and it is obviously one of domestic rather than judicial authority. Nor, again, is there any other judicial mechanism. It is popularly supposed that the 'elders' were in the habit of punishing offences: in the old predecadent days, it is said, they would punish with death the infringement of certain tabus. Without attempting a wholesale denial of such a condition in Papua, I must confess I have met with no trace of it in my own researches; and among the Orokaiva at any rate it is needless to say that the system did not exist. On the whole, one is struck by the high degree of personal freedom. For, apart from the restrictive power of custom and tradition, the native is left to do a good deal as he likes; so much so that one man, whatever his status, is reluctant to answer for another, to lay down what he will do or should do. 'He himself', he will say, with a certain inflection of the voice that dismisses all responsibility. At all events there are in Orokaiva society certainly no personal guardians of the law. This being the case with criminal offences, it is more than ever so with regard to civil offences. Natives are found 627 somewhat disinclined to meddle in the affairs or quarrels of 578 individuals, unless it be with merely pacificatory intentions or else in active partisanship. In these two ways interference is met with frequently enough. A number of bystanders will sometimes combine to separate and appease two men who are actually fighting or who (as sometimes appears) are mutually bluffing and suffer themselves rather willingly to be drawn apart. This is an amorphous kind of control, and the interference is merely in the interests of peace and quiet. On the other hand, the two disputants may be respectively joined by their immediate relatives and friends, when, so far from adjudication and the restraint or punishment of the offender, we get only an extension of the quarrel. Such partisanship is so characteristic that it is difficult to picture a situation, whether relating to criminal or civil offence, in which the group as a whole would actually punish one of

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754 or cohesion as among the Orokaiva, one cannot expect to see any central authority which could enforce the law, even supposing such a law could be said to exist.

A spell of dry weather about Wasida was long enough to warrant the suspicion of sun-making magic. The guilt was laid at the door of one Horova, who, it appears, accepted the challenge, admitted or pretended that he was making the magic, and averred that he was not afraid of the people of Wasida. It was said that once Horova bathed the drought would be broken; but it does not seem to have occurred to those who suffered from the drought that they might bring it to an end by ducking the magician. Yet even if they had thought of this measure it is doubtful whether they could have put it into effect without coming into conflict with Horova's friends, who would certainly have stood by him.

[692 625] There is no judicial procedure among the Orokaiva, and no 'police force'. In so far as sorcery is concerned, by the way, these deficiencies are perhaps not altogether deplorable. The suspicion of sorcery, where it is backed up by ignorant legal authority, may go to extraordinary lengths of oppression. No Papuan people has reached that stage of legal development which would have made possible such condemnations as those of West Africa, by which some populations are said to have been almost decimated.[1] Even in medieval Europe it was simply the fear of magic which led to the incredible abuses of the witch-trials. In these more advanced societies the belief in sorcery broke out in a new direction, and found another means of doing evil by assailing the imputed and frequently innocent sorcerers.

We may leave out of consideration the measures which the Government finds it necessary to adopt against magic, viz. those of conviction and punishment. While they serve their purpose in keeping the practice of magic in check, they cannot, I imagine, stamp out the belief in magic, and its really harmful corollary the fear of magic.

[1] Vide Sir H. H. Johnston, *George Grenfell*, p. 663.